

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 10506 of 2007(A)

PETITIONER:

**VATTAPARA ABDUL SATHAR,
VATTAPARA HOUSE, EDAVANNAPARA, CHERUVAYOOR,
MALAPPURAM.**

BY ADV. SRI.B.V.JOY SANKER

RESPONDENTS:

- 1. APPELLATE ASSISTANT COMMERCIAL (APPEALS)
COMMERCIAL TAX DEPARTMENT, KOZHIKODE.**
- 2. THE ADDITIONAL SALES TAX OFFICER-II,
MANJERI, MALAPPURAM.**
- 3. DEPUTY TAHSILDAR,
REVENUE RECOVERY, MANJERI, MALAPPURAM.**

BY SR.GOVERNMENT PLEADER SRI.MOHAMMED RAFIQ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.BALAKRISHNAN NAIR,J.

WP(C)NO.10506 OF 2007-A

Judgment

The petitioner is aggrieved by the sales tax assessment for the year 2000-01. He has already preferred Ext.P1 appeal against it on 02.04.2004. He submits, the said appeal has not, so far, been disposed of. In the meantime, Ext.P2 revenue recovery notice has been issued to recover the amount due towards sales tax for the said year. This Writ Petition is filed, praying inter alia for a direction to the assessing authority to grant instalment facility to pay the amount claimed under Ext.P2. According to the petitioner, the total amount now due will come to about Rs.1 lakh.

2. I heard the learned Government Pleader also. The petitioner is permitted to pay the amount in six equal monthly instalments. As first instalment, he shall pay Rs.18,000/- within two weeks from today. Upon payment of the said amount, the 2nd respondent shall inform the petitioner, the balance amount payable by him. The said balance amount shall be paid in five equal monthly instalments. The first instalment shall be paid within one month from the date of intimation of the amount. Other instalments shall also be paid as monthly instalments, without fail. If there is default, the respondents will be free to proceed with the revenue recovery steps.

The Writ Petition is disposed of as above.

27.03.2007

K.BALAKRISHNAN NAIR,JUDGE

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